

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

20-12407 BKMFR03
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Santander Bank, N.A.

In Re:

SIMONE VASSELL AKA SIMONE WYNTER



Order Filed on April 16, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 19-19342-CMG

Hearing Date: March 6, 2024

Judge: CHRISTINE M.
GRAVELLE

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: April 16, 2024

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Applicant:	<u>Santander Bank, N.A.</u>
Applicant's Counsel:	<u>Matthew Fissel, Esquire, Brock & Scott, PLLC</u>
Debtor's Counsel:	<u>Robert Cameron Legg, Esquire</u>
Property Involved ("Collateral"):	<u>9 Harrier Court, Tinton Falls, NJ 07724</u>

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 3 months, from January 1, 2024 to March 1, 2024.
- ☒ The Debtor is overdue for 2 payments at \$439.51 per month, for 1 payment at \$455.43 per month.
- ☐ The Debtor is assessed for _____ late charges at \$ _____ per month.
- ☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.
- ☒ There is currently \$233.83 being held in Debtor's suspense account.

Total Arrearages Due: \$1,100.62

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____.
- ☒ Beginning on April 1, 2024, regular monthly mortgage payments in the amount of \$455.43 shall resume.
- ☒ Beginning on April 15, 2024, additional monthly cure payments shall be made in the amount of \$183.44 for 5 months, and one final payment of \$183.42 for 1 month.
- ☐ The amount of \$ _____ shall be capitalized in the Debtor's Chapter 13 plan. Debtor shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following addresses:

☐ Immediate payment:

☒ Regular monthly payment:

Santander Bank, N.A., 1 Corporate Drive, Ste
360, Lake Zurich, IL 60047

☒ Monthly cure payment:

Santander Bank, N.A., 1 Corporate Drive, Ste
360, Lake Zurich, IL 60047

4. In the event of Default:

☒ If the Debtor fails to make any regular monthly payment or any additional monthly cure payment within thirty (30) days of the date the payment becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.

rev.8/1/15

In re:
Simone Vassell
Debtor

Case No. 19-19342-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Apr 16, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 18, 2024:

Recip ID	Recipient Name and Address
db	+ Simone Vassell, 9 Harrier Court, Neptune, NJ 07753-7660

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 18, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 16, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com
Marlena S. Diaz-Cobo	on behalf of Creditor Foxchase at Tinton Falls II Condominium Association Inc. collections@theassociationlawyers.com
Matthew K. Fissel	on behalf of Creditor SANTANDER BANK N.A. wbecf@brockandscott.com, matthew.fissel@brockandscott.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Apr 16, 2024

Form ID: pdf903

Total Noticed: 1

Matthew K. Fissel

on behalf of Creditor Sanatander Bank N.A. wbecf@brockandscott.com, matthew.fissel@brockandscott.com

Robert Cameron Legg

on behalf of Debtor Simone Vassell court docs@oliverandlegg.com; legg.r.c.r59915@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9